THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.3847 of 2007

Between:

Y.Tirumala Rao.

.. PETITIONER

and

The Agency Divisional Officer,
Kothagudem, and others.

..
RESPONDENTS

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ORDER:

It is stated that on a report filed by the Special Deputy Tahsildar (Tribal Welfare), Paloncha, against the father of the petitioner namely late Yadadesi Venkaiah, represented by his wife Smt.Shantamma, the Agency Divisional Officer, Kothagudem, has taken up the same as L.T.R.Case No.87/98/CHG and passed an order, dated 30-05-2005, directing the Mandal Revenue officer, Chandrugonda, to resume possession of dry land to an extent of Ac.2-00 in Sy.No.161/LU, situated at Ganugapad village, Chandrugonda Mandal, Khammam District, to the Government.

It is stated that the father of the petitioner died in the year 1999 and thereafter the mother of the petitioner also died. In fact, the said order has been served on the petitioner only in the last week of January, 2007 and thereafter the petitioner has filed an appeal along with the stay application before the 2nd respondent on 17-02-2007 and the same are pending.

It is further stated that pending disposal of the appeal, the 3rd respondent is taking steps to dispossess the petitioner from the land in question.

As the appeal is pending before the 2nd respondent, without expressing any opinion on the merits of the case, I am of the opinion that it is just and proper to direct the 2nd respondent to dispose of the appeal itself.

The writ petition is, accordingly, disposed of directing the 2nd respondent to consider and dispose of the appeal, as expeditiously as possible, in accordance with law, after giving reasonable opportunity to all the concerned. Pending disposal of the appeal, the petitioner shall not be dispossessed from the land in question. There shall be no order as to costs.

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27-02-2007

Prv